H.J.R. No. 48

By leMiller

Proposing an Amendment to Article IX of the
Constitution of the State of Texas, by
adding a new section to be known as Section
9-a authorizing elections for the abolition
of any hospital district created pursuant
to Section 9 of Anticle 12 the Constitution
of the State of Texas, providing for the
assessment and collection of taxes for the
peyment of all outstanding bonds and other
indebtedness of such districts at the time
of abelition; providing for the disposition
of property and facilities caned by such
districts at the time of abolition; providing
other terms and conditions for accomplishing
the purposes of this Amendment.

#### BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article IX of the Constitution of the State of Texas be amended by adding thereto a new section to be known as Section 9-a, which shall read as follows:

"Sec. 9-a. Any hospital district created and organized pursuant to Section 9 of Article IX of the Constitution of the State of Texas may be abolished by a majority vote of the resident qualified property taxpaying voters within such district at an election duly held for the purpose of determining whether or not such districts shall be abolished.

"The election for the purpose of abolishing any such district shall, upon the petition of twenty per cent (20%) of the resident qualified property taxpaying voters within such district, be called and held in the same manner and upon the same notice as the election whereby such district was created. The issues to be submitted at such election shall be:

"'FOR the abolition of	Hospital
District.'	
"'AGAINST the abolition of	
Hospital District.	***

"In the event any district, which is voted to be abolished pursuant to this Section, shall have outstanding bonds or other indebtedness maturing beyond the current year in which such abolition

occurs, the Commissioners Court of the county or counties in which such district is situated shall levy and cause to be collected, as county taxes are assessed and collected, sufficient taxes on all taxable property within such district to pay the principal and interest on such bonds and other indebtedness as same shall become due. Provided that such district shall continue to exist for the purpose of negotiating the sale of and transferring title to all property and facilities owned by such district and the proceeds of such sale shall be applied to the payment of any outstanding bonds or other indebtedness of such district."

Sec. 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified voters of this State at the General Election to be held the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed thereon:

"FOR the Constitutional Amendment authorizing elections for the abolition of any hospital district created and organized pursuant to Section 9 of Article IX of the Constitution of the State of Texas, and providing for the payment of outstanding bonds and indebtedness of districts so abolished and for the sale of all property and facilities owned by such districts at the time of their abolition."

"AGAINST the Constitutional Amendment authorizing elections for the abolition of any hospital district created and organized pursuant to Section 9 of Article IX of the Constitution of the State of Texas, and providing for the payment of outstanding bonds and Andebtedness of districts so abolished and for the sale of all property and facilities owned by such districts at the time of their abolition."

Sec. 3. The Governor shall issue the necessary proclamation for said election and have the same published as required by the Constitution and laws of this State.

#### FORM C

(For a favorable report on a bill where a "committee substitute" was recommended by the committee.)

#### COMMITTEE REPORT

Date 3-23-65

HON. BEN BARNES

Speaker	of the	House	of	Representatives.
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Sir:
We, your Committee on Constitutional Americant, to whom was

referred H. J. R. No. 48, have had the same under consideration

and beg to report back with recommendation that it do pass, and be not printed.

Committee Substitute was recommended and is to be printed in lieu of the original bill.

Chairman.

(A "committee substitute" in the case of a bill is in the form of two subsected amendments, a new body and a new caption. Under the Rules a committee may authorize the printing of the "committee substitute" in lieu of the original bill. If the original caption is adequate, the "committee substitute" should be only a new body; and in such case the original caption should be printed along with the suggested new body.)

Amend Committee Amend the 1 to Ho 1248

By striking the period after the word "district"

in line 6 and inserting in lieu thereof a

comma and the words "provided, however,

that any grant from federal funds, however

dispensed, shall be considered an abligation

to be repaid in satisfaction and provided

that no electronic dispolve shall be held

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	CHIEF CLERK

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COMMITTEE AMENDMENT NO. 1

COMMITTEE AMENDMENT

Amend HJR No. 48 by striking all beneath the enacting clause and substituting therefor the following:

Section 1. That Article IX of the Constitution of the State of Texas be amended so that the same shall hereinafter read as follows:

The Legislature may by law provide for the creation, establishment, maintenance and operation of hospital districts composed of one or more counties or all or any part of one or more counties with power to issue bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same, for hospital purposes; providing for the transfer to the hospital district of the title to any land, buildings, improvements and equipment located wholly within the district which may be jointly or separately owned by any city, town or county, providing that any district so created shall assume full responsibility for providing medical and hospital care for its needy inhabitants and assume the outstanding indebtedness incurred by cities, towns and counties for hospital purposes prior to the creation of the district, if same are located wholly within its boundaries, and a pro rata portion of such indebtedness based upon the then last approved tax assessment rolls of the included cities, towns and counties if less than all the territory thereof is included within the district boundaries; providing that after its creation no other municipality or political subdivision shall have the power to levy taxes or issue bonds or other obligations for hospital purposes or for providing medical care within the boundaries of the district; providing for the levy of annual taxes at a rate not to exceed seventy-five cents (75¢) on the one hundred dollar valuation of all taxable property within such district for the purpose of meeting the requirements of the district's bonds, the indebtedness assumed by it and its maintenance and operating expenses, providing that such district shall not be created

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Motion to reconsider vote
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or such tax authorized unless approved by a majority of the qualified property taxpaying electors thereof voting at an election called for the purpose; and providing further that the support and maintenance of the district's hospital system shall never become a charge against or obligation of the State of Texas nor shall any direct appropriation be made by the Legislature for the construction, maintenance or improvement of any of the facilities of such district.

Provided, however, that no district shall be created except by act of the Legislature and then only after thirty (30) days' public notice to the district affected, and in no event may the Legislature provide for a district to be created without the affirmative vote of a majority of the taxpaying voters in the district concerned.

The Legislature may also provide for the dissolution of hospital districts provided that a process is afforded by statute for

- (1) determining the desire of a majority of the qualified voters within the district to dissolve it,
- (2) disposing of or transferring the assets, if any, of the district, and
- (3) satisfying the debts and bond obligations, if any, of the district

in such manner as to protect the interests of the citizens within the district, including their collective property rights in the assets and property of the district. In such connection, the statute shall provide against disposal or transfer of the assets of the district except for due compensation unless such assets are transferred to another governmental agency, such as a county, embracing such district and using such transferred assets in such a way as to benefit citizens formerly within the district."

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#### HOUSE JOINT RESOLUTION

preposing an Amendment to Artisle IX of the Constitution of the State of Texas, providing the method and manner for dissolution of hospital districts created under Article IX of the Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS: Section 1. That Article IX of the Constitution of the State

of Texas be amended so that the same shall hereinafter read as

follows: --"Section 9. The Legislature may by law provide for the

creation, establishment, maintenance and operation of hospital districts composed of one or more counties or all or any part of one or more counties with power to issue bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same, for hospital purposes; providing for the transfer to the hospital district of the title to any land, buildings, improvements and equipment located wholly within the district which may be jointly or separately ewned by any city, town or county, providing that any district so created shall assume full responsibility for providing medical and hospital care for its needy inhabitants and assume the outstanding indebtedness incurred by cities, towns and counties for hospital purposes prior to the creation of the district, if same are located wholly within its boundaries, and a pro rata portion of such indebtedness based upon the then last approved tax assessment rolls of the included eities, towns and counties if less than all the territory thereof

is included within the district boundaries; providing that after its ereation no other municipality or political subdivision shall have the power to levy taxes or issue bonds or other obligations for hospital purposes or for providing medical care within the boundaries of the district; providing for the levy of annual taxes at a rate not to exceed seventy-five cents (75¢) on the One Hundred Dollar valuation of all taxable property within such district for the purpose of meeting the requirements of the district's bonds, the indebtedness assumed by it and its maintenance and operating expenses, providing that such district shall not be created or such tax authorized unless approved by a majority of the qualified property taxpaying electors thereof voting at an election called for the purpose; and providing further that the support and maintenance of the district's hospital system shall never become a charge against or obligation of the State of Texas nor shall any direct appropriation be made by the Legislature for the construction, maintenance or improvement of any of the facilities of such district.

"Provided, however, that no district shall be created except by act of the Legislature and then only after thirty (30) days' public notice to the district affected, and in no event may the Legislature provide for a district to be created without the affirmative vote of a majority of the taxpaying voters in the district concerned.

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"(1) determining the desire of a majority of the qualified
votera within the district to dissolve it,
"(R) disposing of or transferring the assets, if any, of
the district, and
"(3) satisfying the debts and bond obligations, if any, of
the district
in such manner as to protect the interests of the citizens within
the district, including their collective property rights in the
assets and property of the district, provided, however, that any
grant from federal funds, however dispensed, shall be considered
an obligation to be repaid in satisfaction and provided that no
election to dissolve shall be held more often than once each year.
In such connection, the statute shall provide against disposal er
transfer of the assets of the district except for due acompensation
unless such assets are transferred to another governmental agency,
such as a county, embracing such district and using such trans-
ferred assets in such a way as to benefit citizens fermerly within
the district."

Austin,	Texas
May 5	, 19 <u>65</u>

Hon. Preston Smith

President of the Senate

Sir:

We, your Committee on Constitutional A

We, your Committee on \_\_\_\_\_\_ Constitutional Amendments

to which was referred \_HJRXX No. \_\_48 \_, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do \_\_\_\_\_\_ pass \_\_as amended \_\_\_\_\_ and be \_\_\_\_\_\_ printed.

Chairman (

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Amend H. J. R. No. 48 by striking all below the resolving clause and substituting in lieu thereof the following:

That Section 9, Article IX of the Constitution of the Section 1. State of Texas be amended to read as follows:

10 " Section 9. The Legislature may by law provide for the creation, 11 establishment, maintenance and operation of hospital districts composed 12 of one or more counties or all or any part of one or more counties with 13 power to issue bonds for the purchase, construction, acquisition, repair 14 15 or renovation of buildings and improvements and equipping same, for hospital purposes; providing for the transfer to the hospital district of 16 the title to any land, buildings, improvements and equipment located 17 wholly within the district which may be jointly or separately owned by 18 any city, town or county, providing that any district so created shall 19 assume full responsibility for providing medical and hospital care for its 20 21 needy inhabitants and assume the outstanding indebtedness incurred by cities, towns and counties for hospital purposes prior to the creation of 22 the district, if same are located wholly within its boundaries, and a pro 23 rata portion of such indebtedness based upon the then last approved tax 6 24 assessment rolls of the included cities, towns and counties if less than 25 all the territory thereof is included within the district boundaries; pro-26 viding that after its creation no other municipality or political subdivision shall have the power to levy taxes or issue bonds or other obligations 28 29 for hospital purposes or for providing medical care within the boundaries 30 of the district; providing for the levy of annual taxes at a rate not to exceed seventy-five cents (75¢) on the One Hundred Dollar valuation of all taxable property within such district for the purpose of meeting the requirements of the district's bonds, the indebtedness assumed by it 34 and its maintenance and operating expenses, providing that such district 35 shall not be created or such tax authorized unless approved by a majority 36 of the qualified property taxpaying electors thereof voting at an election called for the purpose; and providing further that the support and main-38 tenance of the district's hospital system shall never become a charge 39 against or obligation of the State of Texas nor shall any direct appro-40 priation be made by the Legislature for the construction, maintenance 41 or improvement of any of the facilities of such district.

Provided, however, that no district shall be created except by act of the Legislature and then only after thirty (30) days public notice to the district affected, and in no event may the Legislature provide for a district to be created without the affirmative vote of a majority of the taxpaying voters in the district concerned.

47 The Legislature may also provide for the dissolution of hospital districts provided that a process is afforded by statute for:

- (1) determining the desire of a majority of the qualified voters within the district to dissolve it;
  - (2) disposing of or transferring the assets, if any, of the district;
- (3) satisfying the debts and bond obligations, if any, of the district, in such manner as to protect the interests of the citizens within the district, including their collective property rights in the assets and property of the district, provided, however, that any grant from federal funds, however dispensed, shall be considered an obligation to be repaid in satisfaction and provided that no election to dissolve shall be held more often than once each year. In such connection, the statute shall provide against disposal or transfer of the assets of the district

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The House refused to concur in Senate amendaments to Japan 2014 No. I and has requested the appointment of a Conference Cornelistic to consider the differences between the two lieuses.

Chief Clerk, House of Representatives
Chief Clerk, House of Representatives

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of 94 ayes, 39 mais.

Derectory Hallman

Chief Clerk, House of Representatives

### MAY 29 1965

The House has concurred in Senate amendments to House Mi No. 48 by vote of 1/3 ayes.

Chief Clerk, House of Representatives

1 for due compensation unless such assets are transferred to another 2 governmental agency, such as a county, embracing such district and 3 using such transferred assets in such a way as to benefit citizens 4 formerly within the district.

Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this state at an election to be held on the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed thereon the following:

"FOR the constitutional amendment providing the method and manner for dissolution of hospital districts.

"AGAINST the constitutional amendment providing the method and manner for dissolution of hospital districts."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this amendment shall be published in the manner and for the length of time as required by the constitution and laws of this state.

#C1976 60 Amend caption to conform to body of bill.

# ADOPTED

MAY 20 1965

all

F SENATE

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## MAY 24 1965

Chief Clerk, House of Representatives

#### HOUSE JOINT RESOLUTION

proposing an Amendment to Article IX of the Constitution of the State of Texas, providing the method and manner for dissolution of hospital districts created under Article IX of the Constitution.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 9, Article IX of the Constitution of
the State of Texas be amended to read as follows:

"Section 9. The Legislature may by law provide for the creation, establishment, maintenance and operation of hospital districts composed of one or more counties or all or any part of one or more counties with power to issue bonds for the purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same, for hospital purposes; providing for the transfer to the hospital district of the title to any land, buildings, improvements and equipment located wholly within the district which may be jointly or separately owned by any city, town or county, providing that any district so created shall assume full responsibility for providing medical and hospital care for its needy inhabitants and assume the outstanding indebtedness incurred by cities, towns and counties for hospital purposes prior to the creation of the district, if same are located wholly within its boundaries, and a pro rata portion of such indebtedness based upon the then last approved tax assessment rolls of the included cities, towns and counties if less than all the territory thereof is included within the district boundaries; providing that after its creation no other municipality or political subdivision shall have

the power to levy taxes or issue bonds or other obligations for hospital purposes or for providing medical care within the boundaries of the district; providing for the levy of annual taxes at a rate not to exceed seventy-five cents (75¢) on the One Hundred Dollar valuation of all taxable property within such district for the purpose of meeting the requirements of the district's bonds, the indebtedness assumed by it and its maintenance and operating expenses, providing that such district shall not be created or such tax authorized unless approved by a majority of the qualified property taxpaying electors thereof voting at an election called for the purpose; and providing further that the support and maintenance of the district's hospital system shall never become a charge against or obligation of the State of Texas nor shall any direct appropriation be made by the Legislature for the construction, maintenance or improvement of any of the facilities of such district.

Provided, however, that no district shall be created except by act of the Legislature and then only after thirty (30) days' public notice to the district affected, and in no event may the Legislature provide for a district to be created without the affirmative vote of a majority of the taxpaying voters in the district concerned.

The Legislature may also provide for the dissolution of hospital districts provided that a process is afforded by statute for:

(1) determining the desire of a majority of the qualified voters within the district to dissolve it;

H. J. R. No. 48

- (2) disposing of or transferring the assets, if any, of the district; and
- (3) satisfying the debts and bond obligations, if any, of the district, in such manner as to protect the interests of the citizens within the district, including their collective property rights in the assets and property of the district, provided, however, that any grant from federal funds, however dispensed, shall be considered an obligation to be repaid in satisfaction and provided that no election to dissolve shall be held more often than once each year. In such connection, the statute shall provide against disposal or transfer of the assets of the district except for due compensation unless such assets are transferred to another governmental agency, such as a county, embracing such district and using such transferred assets in such a way as to benefit citizens formerly within the district.
- Sec. 2. The foregoing constitutional amendment shall be submitted to a vote of the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, 1966, at which election all ballots shall have printed thereon the following:

"FOR the constitutional amendment providing the method and manner for dissolution of hospital districts.

"AGAINST the constitutional amendment providing the method and manner for dissolution of hospital districts."

Sec. 3. The Governor of the State of Texas shall issue the necessary proclamation for the election and this amendment shall

H. J. R. No. 48

be published in the manner and for the length of time as required by the Constitution and laws of this State.

Lieutenant Governor President of the Senate

Speaker of the House

I hereby certify that H. J. R. No. 48 was adopted by the House on March 30, 1965, by the following vote: Yeas 109, Nays 28; and that the House concurred in Senate amendments to H. J. R. No. 48, on May 29, 1965, by the following vote: Yeas 113, Nays 27.

Chief Clerk of the House

I hereby certify that H. J. R. No. 48 was passed by the Senate, as amended, on May 20, 1965, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED:

6-17-65

Date

Governor

JUN 29 1965

H.J.R. 48 By Miller, D. C.

PROPOSING an Amendment to Article IX of the Constitution of the State of Texas, by adding a service section to be known as Section 9-a authorizing elections for the abolition of any hospital distrist created pursuant to Section 9 of Article IX of the Constitution of the State of Texas; providing for the assessment and collection of taxes for the payment of all outstanding bonds and other indebtedness of such districts at the time of abolition; providing for the disposition of property and facilities owned by such districts at the time of abolition; providing other terms and conditions for accomplishing the purposes of this Amendment.

MAR 30 1969

READ SECOND

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ODDERED ENGROSSE

dopted, by vate of 109

Norathy Hallman

Chief Clerk, House of Representatives

MAR 3 0 1965 SENT TO

SENT TO ENGROSSING CLERK.

FILED FEB 2 1965

FEB 8 1965 READ 1st TIME

AND REFERRED TO COMMITTEE ON

CONSULTATION

CO

**P**AR 23 1965

REPORTED FAVORABLY

AS AMENDED

SENT TO PRINTER

MAR 24 1965 RETURNED FROM PRINTER. SENT TO SPEAKER

Caption amended to conform to body of bill under authority of Rule IV, Sec. 5, Rules of the House of Representatives.

(Date)

(Engrossing and Enrolling
Clerk)

PPROVED:

(Author)

SENT TO HOUSE

Regular order of business suspended by unanimous consent to permit consideration.



## HOUSE JOINT RESOLUTION

	State of hospital	g an Amendment to Article Texas, providing the meth districts created under A	nod and ma Article IX	nner for dissolution of
	2- 2-65	Filed.	<del></del>	
	2- 8-65	Read first time and refer Amendments.	rred to Co	mmittee on Constitutional
	3-23-65	Reported favorably as amo	ended, ser	nt to printer.
	3-24-65	Returned from printer, se	ent to Spe	eaker
	3-30-65	Read second time, amende adopted by the following	d and orde vote: Ye	ered engrossed and eas 109, Nays 28
			<u>Do</u>	orothy Hallman nief Clerk, H. of R.
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Sthe	r consi	deration "10 7.6 Page 100	MAY 20	1965
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ison i	17/17			ED BY WITH VOTE of 30 years
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MAY 211965 RETURNED FROM SENATI

AS AMENDED MAY 2 1 1965 ---- **SENT TO-PRINTER** RETURNED FROM PRINTER. SENT TO SPEAKER

Dorothy Hallman
Chief Clerk, House of Representatives

MAY 24 1965

The House refused to concur in Senate amendments to House 111 No. \_\_\_\_ and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

Dorothy Hallman

Chief Clerk, House of Representatives

MAY 29 1965
Mation to suspend rules to
reconsider vote by which
House refused to concur
in Senate amendments, prevailed,
by vote of 94 ayes, 39 noes,
Chief Clerk, House of Representatives

MAY 29 1965

The House has concurred in Senate amendments to House Mil. No. 48 by vote of 1/3 ayes, 2 1 noes.

Chief Chief Hallman

Chief Clerk, House of Representatives

MAY 29 1965

SENT TO ENROLLING CLERK